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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

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CS Docket No. 97-55

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Industry Proposal for Rating)

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Comments of
THE NATIONAL ASSOCIATION FOR FAMILY AND COMMUNITY EDUCATION

The Federal Communications Commission's Television Ratings Public Notice seeks comment on two issues: (1) whether the industry ratings plan is "acceptable"; and (2) whether the industry ratings plan satisfies Congress' concerns. The Comments of NAFCE are based on the argument that to be "acceptable," the industry system must effectuate congressional intent. NAFCE asserts that Congress intended for a ratings system that would empower parents by specifically identifying violent content and by providing parents with the descriptive information about violence, sexual content and adult language necessary to make effective programming choices for their children. Because the industry system fails to meet these criteria, NAFCE urges the FCC to find the industry system unacceptable. NAFCE further urges the FCC to recognize that a content-descriptive ratings system is necessary to implement congressional intent.

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- I. THE INTENT OF CONGRESS WAS TO SPECIFY A TELEVISION RATINGS SYSTEM THAT WOULD IDENTIFY VIOLENT PROGRAMMING CONTENT, AS WELL AS NOTE THE SEXUAL CONTENT AND ADULT LANGUAGE IN THE PROGRAM, THEREBY PROVIDING PARENTS WITH THE NECESSARY TOOLS TO MAKE EFFECTIVE TELEVISION PROGRAMMING CHOICES FOR THEIR MINOR CHILDREN.
 - A. Congressional debate, the House Report, the Conference Report, Congressional hearings and the statute itself show that the legislative body had goals focusing on parental empowerment.
- II. THE RATINGS SYSTEM PROVIDED BY THE TELEVISION INDUSTRY IS NOT ACCEPTABLE BECAUSE IT DOES NOT SPECIFICALLY IDENTIFY VIOLENT CONTENT.
 - A. The television industry does not address the public health and safety problem to which violent television programming contributes because it does not identify violent programming content.
 - B. Parents are not empowered with necessary tools to distinguish between violent and non-violent television programming.
- III. THE RATINGS SYSTEM PROVIDED BY THE TELEVISION INDUSTRY IS NOT ACCEPTABLE BECAUSE IT DOES NOT EMPOWER PARENTS WITH THE NECESSARY TOOLS TO MAKE EFFECTIVE PROGRAMMING CHOICES FOR THEIR MINOR CHILDREN.
 - A. The Television Industry Ratings System Denies Parents the Power to Make Effective Television Programming Choices for Their Minor Children About Violence, Sexual Content, and Adult Language.
 1. The television industry ratings system denies parents the power to make effective programming choices for their minor children by hiding the content-specific basis for its program ratings from the public.
 2. The decision about the appropriateness or inappropriateness of a television program for children of a certain age is a determination that parents, not television producers, are best equipped to make.
 3. Television producers are not qualified to make generalized judgments regarding the appropriate programming for a particular age group.
 - B. The Television Industry Ratings System Is Not An Effective Tool for Parents to Use in Making Programming Choices for Their Minor Children.

1. The television industry ratings system has been designed and implemented in such a way that parents cannot receive the information they need to empower them to make programming choices for their minor children.
2. The television industry's ratings system, based on age are too broad and imprecise to be a useful tool for parents in making programming choices for their minor children.

IV. THE CONTENT DESCRIPTIVE RATINGS SYSTEM IS THE MINIMUM CRITERIA NEEDED FOR PARENTS TO BE EMPOWERED TO MAKE PROGRAMMING CHOICES FOR THEIR MINOR CHILDREN.

- A. The content descriptive television ratings system, not the current age-based ratings system implemented by the industry, defines and implements the intent of Congress.
 1. A content descriptive television ratings system specifically identifies the type and intensity of content, e.g. violence, sexual content or adult language, that each program contains.
 2. A content descriptive television ratings system empowers parents to make effective programming choices for their minor children with regard to all content.
- B. A content descriptive television ratings system is simple and feasible, both for producers and for parents.
- C. A content descriptive television ratings system has the support of parents, child-advocate organizations, the press, the industry and members of Congress.

CONCLUSION

Unless the television industry voluntarily includes content descriptors to its existing age-based ratings system, the FCC has no choice but to proceed with an advisory committee.